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LEWIS MORENO

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
LEWIS MORENO,  
  
Defendant.

CASE NO. 1:20-cr-00237-DAD-BAM  
  
STIPULATION REGARDING CONTINUANCE OF  
STATUS CONFERENCE; FINDINGS AND  
ORDER  
  
DATE: October 27, 2021  
TIME: 1:00 p.m.  
COURT: Hon. Barbara A. McAuliffe

**STIPULATION**

The parties, through their respective counsel, Alexandre Dempsey, Assistant United States Attorney, counsel for the government, and Benjamin A. Gerson, Assistant Federal Defender, counsel for the defendant, Lewis Moreno, hereby stipulate as follows:

1. On June 4, 2021 the defendant was arraigned before this Court and ordered detained.
2. This matter was previously set for a status conference hearing before this Court on September 22, 2021 and time was excluded under the Speedy Trial Act until September 22, 2021.
3. By this stipulation, both parties now move to continue the status conference hearing until October 27, 2021.
4. The parties agree and stipulate, and request that the Court find the following:
  - a) The parties stipulate that the delay is required to allow the defense reasonable

1 time for preparation and review of discovery, and for the government's continuing investigation  
2 of the case. The parties further agree that the interests of justice served by granting this  
3 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18  
4 U.S.C. § 3161(h)(7)(A).

5 b) The requested date is a mutually agreeable date for both parties.

6 c) The parties agree that good cause exists for the extension of time, and that the  
7 extension of time would not adversely affect the public interest in the prompt disposition of  
8 criminal cases. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. §  
9 3161, et seq., within which trial must commence, the time period of September 22, 2021 to  
10 October 27, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161 (h)(1)G),  
11 3161(h)(7)(A), and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the  
12 Court at the parties' request on the basis of the Court's finding that the ends of justice served by  
13 taking such action outweigh the best interest of the public and the defendant in a speedy trial.

14 d) Nothing in this stipulation and order shall preclude a finding that other provisions  
15 of the Speedy Trial Act dictate that additional time periods are excludable from the period within  
16 which a trial must commence.

17  
18 IT IS SO STIPULATED.

19  
20 HEATHER WILLIAMS  
Federal Defender

21  
22 Dated: September 15, 2021

/s/ Benjamin Gerson

23 Benjamin Gerson  
24 Counsel for Defendant  
LEWIS MORENO

25 Dated: September 15, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

/s/ Alexandre Dempsey

27 Alexandre Dempsey  
28 Assistant United States Attorney

**ORDER**

IT IS SO ORDERED that the status conference is continued from September 22, 2021, to **October 27, 2021, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of September 22, 2021 through October 27, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161 (h)(1)G, 3161(h)(7)(A), and 3161(h)(7)(B)(i) and (iv).

IT IS SO ORDERED.

Dated: September 15, 2021

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE